



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,979	08/18/2003	Yasuji Yui	09812.0381-00000	3411
22852	7590	09/02/2008		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413				
EXAMINER				
DADA, BEEMNET W				
ART UNIT		PAPER NUMBER		
2135				
MAIL DATE		DELIVERY MODE		
09/02/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/642,979

Applicant(s)

YUI ET AL.

Examiner

BEEMNET W. DADA

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 17, 2008 has been entered. Claims 1, 4 and 7 have been amended. Claims 1-9 are pending.

Response to Arguments

Applicant's arguments filed July 17, 2008 have been fully considered but they are not persuasive. Applicant argues that the art on record fails to teach "detecting means ... for detecting a location of the personal identification information transmitter." Examiner disagrees.

Examiner would point out that Gutta et al. (US 2002/0125993 A1) teaches detecting means for detecting personal identification information received from a personal identification information transmitter of a person and detecting a location of the personal identification information transmitter (i.e., note that detecting step includes detecting location of the individual that has transmitted the personal identification information, paragraphs 0015-0017, 0030, 0031, 0034 and 0036). Examiner would further point out that the art on record teaches the claim limitations and therefore the rejection is respectfully maintained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

Art Unit: 2135

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutta et al. US 2002/0125993 A1 (hereinafter Gutta) in view of Logan et al. US 6,199,076 B1 (hereinafter Logan).

As per claims 1 and 7, Gutta teaches an electronic device controlling apparatus comprising:

a communication unit for communicating with electronic devices [paragraphs 0027-028];
storing means for storing personal identification information and personal information in correspondence with each other [paragraphs 0031, 0034 and 0035];

detecting means for detecting personal identification information received from a personal identification information transmitter of a person and detecting a location of the personal identification information transmitter (i.e., note that detecting step includes detecting location of the individual that has transmitted the personal identification information, paragraphs 0015-0017, 0030, 0031, 0034 and 0036);

searching means for searching said storing means for said personal information corresponding to said personal identification information detected by said detecting means [paragraphs 0034 and 0035]; and

controlling means which, based on said personal information searched for by said searching means, causes said communication unit to transmit a control signal to the electronic device installed in the detected location [paragraphs 0032 and 0035]. Gutta further teaches storing personal identification information and personal information in correspondence with each other [paragraphs 0031, 0034 and 0035]. However, Gutta is silent on personal information

including personal preference information and priority information. Within the same field of endeavor, Logan teaches storing personal information that includes personal preference information and priority information, searching personal information and priority information (i.e., priority value, assigned level of interest) and controlling based on personal information and the priority information, and providing service according personal preference information and priority information [column 9, lines 10-24, column 10, lines 29-54 and column 22, line 40-column 23, line 6]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Logan within the system of Gutta in order to further provide personalized service and enhance usability of the system.

As per claim 4, Gutta teaches an electronic device controlling system comprising:
an electronic device installed in each of one or a plurality of rooms [paragraph 0036];
an electronic device controlling apparatus which is connected to said electronic device installed in each of said one or said plurality of rooms and which is capable of controlling said electronic device [paragraphs 0036, 0037]; and

personal identification information transmitting means which is furnished in each of said one or said plurality of rooms and which transmits to said electronic device controlling apparatus personal identification information about a person having entered in any one of said one or said plurality of rooms [paragraphs 0036-0038];

wherein said electronic device controlling apparatus includes: a communication unit for communicating with said electronic devices [paragraphs 0036-0037];

a reception unit for receiving said personal identification information from said personal identification information transmitting means furnished in each of said one or said plurality of rooms [paragraphs 0036-0037];

detecting means for detecting a location of the personal identification information transmitter (i.e., note that detecting step includes detecting location of the individual that has transmitted the personal identification information, paragraphs 0015-0017, 0030, 0031, 0034 and 0036);

storing means for storing said personal identification information and said personal information in correspondence with each other [paragraphs 0031, 0034 and 0035];

searching means for searching said storing means for said personal information corresponding to said personal identification information detected by said reception unit [paragraphs 0034, 0035 and 0037]; and

controlling means which, based on said personal information searched for by said searching means, causes said communication unit to transmit a control signal to the electronic device installed in the room detected by said detecting means [paragraphs 0038-0040].

Gutta further teaches storing personal identification information and personal information in correspondence with each other [paragraphs 0031, 0034 and 0035]. However, Gutta is silent on personal information including personal preference information and priority information. Within the same field of endeavor, Logan teaches storing personal information that includes personal preference information and priority information, searching personal information and priority information (i.e., priority value, assigned level of interest) and controlling based on personal information and the priority information, and providing service according personal preference information and priority information [column 9, lines 10-24, column 10, lines 29-54 and column 22, line 40-column 23, line 6]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Logan within the system of Gutta in order to further provide personalized service and enhance usability of the system.

As per claims 2, 3, 5, 6, 8 and 9, Gutta further teaches the device wherein said storing means stores the personal identification information and personal information about a plurality of persons as well as priority information about each of said plurality of persons, and wherein said controlling means transmits to said electronic device the control signal based on the priority information corresponding to the personal identification information detected by said detecting means [paragraphs 0034-0035]. Further, Logan teaches storing personal information that includes personal preference information and priority information, searching personal information and priority information (i.e., priority value, assigned level of interest) and controlling based on personal information and the priority information, and providing service according personal preference information and priority information [column 9, lines 10-24, column 10, lines 29-54 and column 22, line 40-column 23, line 6].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BEEMNET W. DADA whose telephone number is (571)272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Beemnet W Dada/

Art Unit 2135

August 29, 2008